

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING--August 18, 1965

Appeal #8318 Miller and Minogue Construction Co. appellant

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on August 25, 1965:

ORDERED:

That the appeal for a variance from the requirements of Section 7206.6 of the Zoning Regulations to permit driveway grade in excess of 20% at 6455 - 31st Street, N.W., lot 50, square 2344, be granted for the following reasons:

(1) Appellant has appealed from the requirements of Section 7206.6 of the Zoning Regulations which require "Driveways which provide accessibility to parking spaces accessory to one-family dwellings or flats shall be not less than eight feet in width and have a maximum grade of not more than 20% with a vertical transition at intersections."

(2) The Board finds that the width of eight feet is met by appellant but due to severe grade conditions existing on the property and grade of approximately 24% exists.

(3) There was no objection to the granting of the appeal registered at the public hearing.

(4) It is our opinion that appellant has proven a case of hardship within the provisions of Section 8207.11 of the Zoning Regulations, and although the grade exceeds the requirements of Section 7206.6 of the Zoning Regulations the grade is not too excessive to preclude its use. We are therefore of the opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.